permitting a user to select the user-defined mode of operation stored in the memory of the device; and

handling the occurrence of one or more error conditions according to the user-defined mode of operation when the user-defined mode of operation has been selected.

189.   (New) The method of claim 188 further comprising:

subsequently selecting the user-defined mode of operation:

recalling from the memory the user-defined mode of operation; and

handling the occurrence of one or more error conditions according to the user-defined mode of operation.

REMARKS

Applicants respectfully request that prior to the examination of the above-referenced application that the above Preliminary Amendment "B" be entered and that the following remarks be considered. New claims 164-189 have been added.

In the parent application, Serial No. 08/864,423, claims 157, 158, 167, 168, and 169 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Cargill et al.*, U.S. Patent No. 5,430,664, ("*Cargill*") in view of *Hashimoto*, U.S. Patent No. 4,653,647. To the extent such a rejection is relevant to claims 157, 158, and 164-189 of the present continuation application, Applicants respectfully traverse such a rejection.

Claim 157 of the present application, for example, calls for "an interface adapted to permit a user of the evaluation device to specify how the plurality of error conditions are to be handled" and "a memory adapted to store user information specifying how the plurality of error conditions are to be handled, the information being capable of subsequent recall and selection by a user of the evaluation device." Accordingly, a user of the device of claim 157 instructs the device how to handle error conditions.

The office action alleges that *Cargill* discloses "a currency evaluation device that stops when an unfit note is detected and includes a user interface 14 and a non-volatile memory 318." Notwithstanding the cited passage from the office action, *Cargill* does not teach or suggest "receiving information defining at least one mode of operation from a user of the currency evaluation device via a user interface, the information specifying how the currency evaluation device is to operate including how to handle the occurrence of a plurality of error

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conditions" as required by claim 235, for example. The control program of *Cagrill* is pre-programmed and stored in the memory of the device (column 12, lines 52-53). *Cargill* does disclose that the user can specify or modify operating parameters during execution of the control program (column 13, lines 27-29). These operating parameters appear to include "document opacity level" (column 14, lines 54-56), operating speed (column 14, line 68 – column 15, line 3) as well as other "options as described in connection with the step 226 of the control procedure" (column 15, lines 15-18). However, *Cargill* does not teach or suggest specifying or modifying the operating parameters with respect to the handling of error conditions. Rather, *Cargill* only teaches halting the operation of the *Cargill* device to permit removal of any detected error document. For example, *Cargill* reads "the apparatus is also designed to indicate errors . . . and stop operation of the apparatus to permit removal of any detected error document" (column 8, lines 48-50) and ". . . the user is provided with an indication of a counterfeit suspect error in step 290 and the motor is halted" (column 19, lines 14-17). *Cargill* teaches that the operation of the device should be halted upon the occurrence error conditions including "half error" conditions (column 18, lines 5-12), "chain error" conditions (column 18, lines 19-26), "off-width document error" conditions (column 18, lines 44-51), "double error" conditions (column 18, lines 61-68), and "counterfeit suspect error" conditions (column 19, lines 14-16). There is no teaching or suggestion in *Cargill* that the manner in which detected error document are handled can be modified much less storing such modifications in a memory so as to permit subsequent recall and selection by a user.

The office action alleges that *Hashimoto* discloses "a note counting and sorting apparatus that senses the denomination of the notes so that notes of denominations that are not being counted are sorted out." Notwithstanding the cited passage from the office action, *Hashimoto* does not teach or suggest a "memory being designed to store at lea.t one user defined mode of operation" that is "capable of subsequent recall" and a "mode selection element permitting the user to select one of the modes of operation" as required by claim 158. The operational modes provided in *Hashimoto* are fixed or pre-programmed. *Hashimoto* does not teach or suggest storing the input from a user specifying the manner in which error conditions are handled in a manner so that a user of the *Hashimoto* device can recall and select that mode of operation causing the device to operate in the user-specified manner. Conversely, claim 188, for example, recites, *inter alia*, "defining at least one user-defined mode of operation specifying how to operate including how to handle the occurrence of one

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or more error conditions" and "storing the user-defined mode of operation in a memory of the device in a manner to permit subsequent recall and selection by a user of the device."

Further still, the *Hashimoto* device does not receive input from an operator of the *Hashimoto* device specifying how a plurality of error conditions are to be handled much less storing those modifications in a memory so as to permit subsequent recall and selection by a user. *Hashimoto* does teach that documents trigger error conditions, such as "unidentifiable Note," are always off-sorted to the third pocket of the *Hashimoto* device. (column 5, line 11 – column 6, line 1; Table in columns 3-4). Conversely, claim 157, for example, recites "an interface adapted to permit a user of the evaluation device to specify how the plurality of error conditions are to be handled." Claim 165 provides an example of how a user can specifying how an error condition(s) is to be handled: ". . . the user to input information further specifying that upon the occurrence of a particular one of the plurality of error conditions (1) the operation of the evaluation device should be suspended or (2) a bill triggering the particular error condition should be off-sorted to one of the plurality of output receptacles without suspending operation of the evaluation device." And claim 174 recites "selecting one of the options of the mixed mode of operation via the user interface, the one or more options including <u>designating that a bill triggering a particular error condition</u> is to be (1) presented in a first one of the plurality of output receptacles such that the operation of the transport mechanism is suspended, (2) presented in a second one of the plurality of output receptacles such that the operation of the transport mechanism is suspended, or (3) off-sorted into the second one of the plurality of output receptacles such that the transport mechanism continues operation."

Accordingly, the proposed combination of *Hashimoto* and *Cargill* would not result in a device or method in which a user specifies how error conditions are to be handled and stores how error conditions are to be handled in memory. Therefore, Applicants respectfully submit that claims 157, 158, and 164-189 of the present continuation application are patentable under 35 U.S.C. § 103(a) over the combination of the cited references for at least the foregoing reasons.

In conclusion, Applicants respectfully submit that in view of the amendments and remarks set forth herein, that all rejections have been overcome and that all claims are in condition for allowance and such action is earnestly solicited.

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If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact Applicants' undersigned attorney at the number indicated.

A check in the amount of $544.00 is enclosed to cover the fees associated with the filing of this Preliminary Amendment "B." If however, this check is inadvertently omitted or is otherwise insufficient, the Commissioner is authorized to charge any additional fees which may be required (except payment of the issue fee) to JENKENS & GILCHRIST, P.C. Deposit Account No. 10-0447(47171-00272).

Respectfully submitted,

Date: December 5, 2000

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